

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

In re:

CASE NO.: 6:15-bk-10664-KSJ

John B Vohs and
Brenda A Vohs

Debtors.

Chapter 13

RULE 3001(c) OBJECTION TO CLAIM NO. 12 OF ARMY & AIR FORCE EXCHANGE SERVICES

**NOTICE AND OPPORTUNITY TO
OBJECT AND FOR HEARING**

Pursuant to Local Rule 2002-4, the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files a response within 30 days from the date set forth on the proof of service attached to this paper plus an additional three days for service. If you object to the relief requested in this paper, you must file your response with the Clerk of the Court at the George C Young Courthouse at 400 W. Washington Avenue, Suite 5100, Orlando, FL 32801 and serve a copy on the movant's attorney, L. Vinson Osman, Esq., Kaufman, Englett & Lynd, PLLC, 150 N. Orange Avenue, Suite 100, Orlando, FL 32801, and any other appropriate within the time allowed.

If you file and serve a response within in the time permitted, the Court may schedule and notify you of a hearing, or the Court may consider the response and may grant or deny the relief requested without a hearing. If you do not file a response within the time permitted, the Court will consider that you do not oppose the relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

COMES NOW, the Debtor(s), John B Vohs and Brenda A Vohs, by and through the undersigned counsel, and hereby files this Objection to the Claim of Creditor, Army & Air Force Exchange Services, and as grounds in support thereof would state as follows:

1. The Creditor, Army & Air Force Exchange Services, filed a general unsecured Claim No. 12 on or about 5/9/2016, in the amount of \$6869.44.
2. Army & Air Force Exchange Services filed a Proof of Claim with an attachment, which provides minimal information as to the claim. It does not provide any statements, written agreements or invoices. The Debtors object that the claim has failed to attach sufficient

documentation to establish a prima facie proof of claim as required by Bankruptcy Rule 3001(c). In re Taylor, Case No. 6:06-bk-00570-KSJ; In re Sandifer, 318 B.R. 609, 611 (Bankr. M.D. Fla. 2004).

WHEREFORE, the Debtors, John B Vohs and Brenda A Vohs by and through the undersigned attorney, requests an Order sustaining this Objection and disallowing Claim No. 12 in its entirety, as lacking any prima facie validity, and order such other and further relief as is just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing has been furnished by Electronic Notice or First Class U.S. Mail, postage pre-paid to: Army & Air Force Exchange Services, Bass & Associates, P.C., 3936 E. Ft. Lowell Road, Suite #200, Tucson, AZ 85712; Laurie K. Weatherford, Chapter 13 Trustee, PO BOX 3450, Winter Park, FL 32790-3450; and Debtor(s), John B Vohs and Brenda A Vohs, 2105 Fleet Court, Kissimmee, FL 34744, on this 21st Day of June, 2016.

Respectfully Submitted,

/s/ L. VINSON OSMAN, ESQ.

L. Vinson Osman, Esq.

Attorney for Debtors

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